

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

HARCO NATIONAL INSURANCE)	
COMPANY)	
)	
Plaintiff,)	
v.)	Case No.: 4:22-CV-307
)	
JF ENTERPRISES, LLC and)	
JEREMY FRANKLIN MITSUBISHI,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

COMES NOW, Defendants, by and through counsel, and file this motion to ask the Court to dismiss or stay Plaintiff's declaratory judgment action. In support of this motion, the Defendants state:

1. In both Counts I and II, Plaintiff asks this court to declare that its insurance policy does not provide coverage for Defendants because Defendants violated numerous policy provisions.

2. The Court can dismiss or stay Plaintiff's claim for declaratory judgment relief in both counts because Plaintiff will have an opportunity to raise these issues and claims in a state court proceeding.

a. In this case, Judge Robert Schieber entered an Arbitration Award in favor of the James Brost (Brost) and against Defendants on July 6, 2022.

b. Brost then filed a state court action to confirm the Arbitration Award in Missouri State Court on July 7, 2022, in case number 2216-CV15000.

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to counsel of record.

/s/ Tim Dollar
Attorney for Defendants